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36, 387

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/613,946	
	Filing Date	07/07/2003	
	First Named Inventor	Kevin T. Connelly	
	Art Unit	3636	
	Examiner Name	Winnie S. Yip	
Total Number of Pages in This Submission	3	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Before the Board of Appeals and Interferences**Application No. 10/613,946**

This communication is a response to a Notification of a Non-Compliant Appeal Brief having a mailing date of 05/08/2008 and setting forth a period of reply of one month which would expire on 07/08/2008.

The notification states that the brief contains a correct copy of claim 1 but does not contain all of the claims on appeal in the amendment filed on 03/25/2006. And sections of "Evidence Appendix" and "Related Proceeding Appendix".

Below appear the missing items".

(viii)

Claims Appendix

1. A shade and rain umbrella combination including a basic umbrella having a shaft and expanding ribs at a top of said shaft, a shade cover placed over said ribs and fastened to a peripheral point at the end of said ribs, said shade cover consisting of a woven mesh fabric for protection against ultraviolet rays of the sun but at the same time allowing ventilation air to pass through said fabric, a separable water proof rain cover is placed over said shade cover in the event of rain, said rain cover is substantially the same size as said shade cover, means for fastening said rain cover to said peripheral point at each of the ends of said ribs, whereby said shade cover is used in sunshine and said rain cover is added in the event of rain but kept

separate otherwise.

4. The umbrella combination of claim 1, wherein said means for fastening are flexible eyelets on said rain cover placed over each end of said ribs.

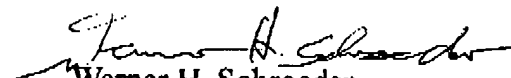
9. The umbrella of combination of claim 1 including means for clamping said shaft in an upright position on an object.

10. The umbrella of claim 9, wherein said means for clamping has a form of a C-shape clamp.

11. The umbrella combination of claim 10, wherein said C-shape has means thereon for orienting and clamping said C-shape clamp in two different directions.

16. The umbrella combination of claim 1, wherein said shade cover is constructed of a knitted fabric including HDPE polyethylene mono-tape.

(c) (ix)	<u>Evidence Appendix</u>	(none)
(c) (x)	<u>Related Proceedings Appendix</u>	(none)


Werner H. Schroeder

Reg. No. 36,387

Date: 05/21/08